

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

GORSKI KNOWLTON PC
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In Re:

Albert C. Lusch, Sr. & Mary Patricia Lusch,

Debtors

Case No.: 19-25621-MBK

Judge: Kaplan

Chapter: 13

CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION

The debtor in this case opposes the following (choose one):

1. ☒ Motion for Relief from the Automatic Stay filed by PNC Bank,
creditor,

A hearing has been scheduled for January 11, 2023, at 9:00 am.

- ☐ Motion to Dismiss filed by the Chapter 13 Trustee.

A hearing has been scheduled for _____, at _____.

- ☐ Certification of Default filed by _____,

I am requesting a hearing be scheduled on this matter.

2. I oppose the above matter for the following reasons (choose one):

- ☐ Payments have been made in the amount of \$ _____, but have not
been accounted for. Documentation in support is attached.


☐ Payments have not been made for the following reasons and debtor proposes repayment as follows (**explain your answer**):

☒ Other (**explain your answer**):
See attached.

3. This certification is being made in an effort to resolve the issues raised in the certification of default or motion.

4. I certify under penalty of perjury that the above is true.

Date: 12-6-22


Debtor's Signature

Date: _____

Debtor's Signature

NOTES:

1. Under D.N.J. LBR 4001-1(b)(1), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 7 days before the date of the hearing if filed in opposition to a Motion for Relief from the Automatic Stay or Chapter 13 Trustee's Motion to Dismiss.
2. Under D.N.J. 4001-1 (b)(2), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 14 days after the filing of a Certification of Default.

Attachment to Debtors Certification in Opposition to Creditor's Motion for Relief from Stay
Albert C. Lusch, Sr. & Mary Patricia Lusch
Case No.: 19-25621-MBK

I incorporate by reference the opposition that we filed to the Trustee's Certification of Default. My husband is in a continuing care facility and our budget has changed substantially. Through my son and daughter, we obtained a trustee payoff and my children gift to me the \$14,280.24 necessary to complete the Plan. Now that I don't have to maintain Trustee payments, I should be able to focus on maintaining mortgage payments with the assistance of my children. Attached is proof of the \$2,015.44 payment made to PNC Bank on December 5, 2022.

PNC Online Banking

Mortgage XXXXXX8147**Current Principal Balance: \$240,737.70****Next Payment Due: \$2,015.44****Payment Due Date: 09/01/2022****Payment Details**

Show 10 entries

Search

<i>Date</i>	<i>Description</i>	<i>Amount</i>	<i>Principal</i>	<i>Interest</i>	<i>Escrow</i>	<i>Other</i>
12/05/2022	PAYMENT APPLIED	\$2,015.44				\$2,015.44
10/14/2022	CITY TAX DISBURSEMENT	-\$1,775.06			-\$1,775.06	-
09/02/2022	PAYMENT APPLIED		\$511.69	\$728.77	\$675.61	-\$1,916.07
09/01/2022	PAYMENT APPLIED	\$1,916.07				\$1,916.07
08/02/2022	PAYMENT APPLIED		\$510.14	\$730.32	\$675.61	-\$1,916.07
08/01/2022	PAYMENT APPLIED	\$1,916.07				\$1,916.07
07/15/2022	CITY TAX DISBURSEMENT	-\$1,963.74			-\$1,963.74	-
07/05/2022	PAYMENT APPLIED		\$508.61	\$731.85	\$675.61	-\$1,916.07
07/01/2022	PAYMENT APPLIED	\$1,916.07				\$1,916.07
06/13/2022	RETURNED CHECK					-\$39.17
06/13/2022	RETURNED CHECK		-\$508.61	-\$731.85	-\$675.61	-
06/06/2022	PAYMENT APPLIED		\$508.61	\$731.85	\$675.61	-\$1,916.07
06/03/2022	PAYMENT APPLIED	\$1,955.24				\$1,955.24
05/06/2022	PAYMENT APPLIED		\$507.08	\$733.38	\$675.61	-\$1,916.07
05/05/2022	PAYMENT APPLIED	\$1,955.24				\$1,955.24
04/20/2022	CITY TAX DISBURSEMENT	-\$1,854.66			-\$1,854.66	-
04/06/2022	PAYMENT APPLIED		\$505.55	\$734.91	\$675.61	-\$1,916.07
04/05/2022	PAYMENT APPLIED	\$1,955.24				\$1,955.24
03/07/2022	PAYMENT APPLIED		\$504.03	\$736.43	\$675.61	-\$1,916.07
03/04/2022	PAYMENT APPLIED	\$1,955.24				\$1,955.24
02/09/2022	PAYMENT APPLIED				\$15.69	-\$15.69
02/08/2022	PAYMENT APPLIED	\$15.69				\$15.69
02/07/2022	PAYMENT APPLIED		\$502.51	\$737.95	\$675.61	-\$1,916.07
02/04/2022	PAYMENT APPLIED	\$1,955.24				\$1,955.24

12/6/22, 11:35 AM

<i>Date</i>	<i>Description</i>	<i>Amount</i>	<i>Principal</i>	<i>Interest</i>	<i>Escrow</i>	<i>Other</i>
01/14/2022	CITY TAX DISBURSEMENT	-\$1,854.66			-\$1,854.66	-
01/06/2022	PAYMENT APPLIED		\$501.00	\$739.46	\$675.61	-\$1,916.07
01/05/2022	PAYMENT APPLIED	\$1,955.24				\$1,955.24
12/22/2021	HOMEOWNERS INSURANCE DISBURSEMENT	-\$1,346.00			-\$1,346.00	-
12/06/2021	PAYMENT APPLIED		\$499.49	\$740.97	\$675.61	-\$1,916.07
12/03/2021	PAYMENT APPLIED	\$1,955.24				\$1,955.24
11/08/2021	PAYMENT APPLIED		\$497.98	\$742.48	\$675.61	-\$1,916.07
11/05/2021	PAYMENT APPLIED	\$1,955.24				\$1,955.24
10/15/2021	CITY TAX DISBURSEMENT	-\$1,686.25			-\$1,686.25	-
10/06/2021	PAYMENT APPLIED		\$496.48	\$743.98	\$675.61	-\$1,916.07
10/05/2021	PAYMENT APPLIED	\$1,955.24				\$1,955.24
09/07/2021	PAYMENT APPLIED		\$494.99	\$745.47	\$675.61	-\$1,916.07
09/03/2021	PAYMENT APPLIED	\$1,955.24				\$1,955.24
08/06/2021	PAYMENT APPLIED		\$493.50	\$746.96	\$738.73	-\$1,979.19
08/05/2021	PAYMENT APPLIED	\$1,955.24				\$1,955.24
07/21/2021	CITY TAX DISBURSEMENT	-\$1,985.48			-\$1,985.48	-

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